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Study Abroad Research Context

My experience spending the 2004-2005 academic year enrolled in courses at the *Institut d'Etudes Politiques*, or "*Sciences Po*" in Paris was truly decisive in inspiring and structuring my research project. Living in Paris and studying at a primary center for training France's political elite, I was completely surrounded by the 2005 EU Constitutional treaty referendum campaign that is the focus of my senior honor's thesis in Political Science. My year at *Sciences Po* was defined by total immersion in the rigors of French intellectual debate and the intensity of France's rhetorical, ideology-driven political culture, as well as incredible access to the leading lights of French politics. Over the course of the year, the Institute hosted several significant lectures and impassioned debates on the constitution which I attended, including a fiery talk featuring Interior Minister and 2007 presidential candidate Nicolas Sarkozy. A lecture by Constitutional Convention President and former French President Valéry Giscard d'Estaing is also memorable for laying out his vision of the challenges of the referendum campaign and for illuminating the practical goals and lofty ideals behind the constitution itself.

Immersion in the subtle differences of French spoken at university with that of life outside the classroom brought me to a new level of fluency, and it allowed me to more fully appreciate the nuances of language as a political tool in France. My daily contact with the Pro-EU rhetoric in the university was balanced by direct experience with the French public's vociferous opposition to the approaching referendum, both on the streets of Paris and in regions beyond the capital. After witnessing mass demonstrations against the constitution I began to rethink the debate and to see that it was not a simple partisan matter as the political elite wanted voters to believe, but rather an issue that reflected deeper divides within French society. As I traveled in the rural South, I was exposed to opposing views which made the EU look like a threat to French identity and prosperity, concepts which were never evoked by Paris intellectuals. As the vote neared and it became clear that the TCE was going to be defeated, I marveled at the French elite's inability to understand why their countrymen didn't support the constitution while the masses celebrated in the streets as if they had won a large prize.

Witnessing the referendum campaign first-hand was clearly instrumental in motivating me to focus my interest into a senior honors thesis, the ultimate product of my study abroad experience in Paris.

France Says “Non”: Elites, Masses and the Defeat of the European Constitutional Treaty

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Introduction: “Non merci!”

On Sunday, May 29, 2005, the French Republic endured one of the greatest political shocks in its recent history. By a wide margin, the TCE (Treaty establishing a Constitution for Europe) was defeated in a referendum, effectively paralyzing the process of European political integration while simultaneously crippling both the ruling Union Pour le Mouvement Populaire (UMP) party and the opposition Parti Socialiste (PS) and forcing the resignation of Prime Minister Jean-Pierre Raffarin’s three-year old government. This cataclysm, often described by other Europeans as simply being in line with the French people’s “penchant for revolutions,” was the result of a series of political, social, economic and historical factors that when combined dealt a devastating blow to both French and European political elites. At the heart of the confusion and acrimony that inspired French voters to reject the treaty lies a gap between the attitudes and programs of the French political elite and the values and expectations of the French masses.

The French gap is noteworthy because it was so clearly illustrated by the referendum’s failure. While other countries may have leaders and programs that are unpopular with the people but subsist nonetheless, there are very few examples of a population so forcefully rejecting such a seminal policy initiative endorsed by both governing and opposition parties.

In investigating the existence and nature of the mass-elite gap, my aim is to conceptualize a reality that seems to fall by the wayside in the contemporary political science literature. Despite newly emergent ideas on democratic theory, voting behavior and public opinion in the twenty-first century that have considerably enriched our understanding of both systemic behavior in democracies and the roots and power of opinion, it seems that no one has put their finger on exactly what impact this fissure between “power” and “the people” has on today’s politics. In this case, all of the referendum’s elements, from the media’s coverage of the campaign to the behavior of political leaders on all

sides to the treaty itself, were at once driven by the gap as the referendum itself exacerbated it.

This situation was no better illustrated than when on April 14th, 2005, President Jacques Chirac, eager to stem the tide of plummeting support for “his” referendum, organized a sort of town-hall meeting with two hundred French youths about the Constitution at the Elysée Palace, his official residence. Planned at once as a way of dispelling popular myths about the Constitution and of boosting Chirac’s popularity by showing him in a sage, grandfatherly light, the rendez-vous between the president and his people was anticipated by supporters of the Constitution as the moment when the campaign would be righted. Though the president chose the topic of discussion and had staffers hand-pick the audience, the tenor of the dialogue quickly changed from a chat about the pros and cons of the Constitution to a more poignant exposition of French concerns about the present and future. As one young woman from the Lorraine region complained about the threat of having to compete for jobs with Polish immigrants willing to work for less than the minimum wage, President Chirac demanded that she “talk about the topic in question” and became agitated. President Chirac was so overwhelmed by the tales of urban blight, long-term unemployment and social discord spun by his audience that in the middle of the interview he tossed up his hands and with a sigh of defeat declared “*Je ne vous comprend pas*” (“I don’t understand you”). Such a shocking admission, coming from a leader who prides himself on being a man of the people, was symptomatic of the attitude of surprise and indignation adopted by the entire *classe dirigeante* (ruling elite) in the month before and after the referendum.

Theoretical Perspectives on the French Case

While the literature disagrees on a single causal mechanism for voter behavior in EU integration referendums, there is a general consensus on three central factors being at the heart of voter choice in these scenarios, voter preference (issue positions and ideology), party affiliation and political climate. To a political scientist, these considerations are not surprising to the extent that they are more often than not central determinants in *any* election and will be at the forefront in almost any political action taken in a democracy. What is unique about the role of party affiliation and national politics in EU integration votes is that the matter being voted on steps beyond the bounds of national politics in important respects. Voters in member-states are voting not only on something that will impact their country, but also that of their fellow member-states. Additionally, treaties that deepen European integration have

profound structural implications for the countries involved. With each successive European treaty, Europe's national governments voluntarily relinquish elements of their national sovereignty to the supranational EU in the name of efficiency and European solidarity. While this study will not directly address the issue of the nation-state's decline in any substantive fashion, the scope of the issue should not be understated. It is surprising to me that the literature on EU referendums seems to ignore these elements, leaving them to political philosophers like Jurgen Habermas and Bertrand Badie. Whether the gap in the literature stems from the highly theoretical level of the decline of national sovereignty debate, or from the lack of a genuine European *demos* to survey on this issue, the importance of this question begs for further study.

The Normative Dimension: Representation and Democracy after the Referendum

Throughout the literature lies a central issue that links much of the theoretical conversation with the concept of the mass-elite gap, the issue of accountability. To the extent that democratic governments exist only as instruments for the will and good of the people, at the center of readings on the nature of plebiscites (Marsh 2000, Hug 2002, Qvortrup 2002, Gallagher and Uleri 1996) and public opinion (Dalton 2003, Stimson 2004, Zaller 1992, Duhamel and Teinturier 2005) is the question of responsiveness. In brief, the literature asks what inputs coming from voters are taken into account, how leaders respond and what outcomes this process creates. Similar in importance and nature, we can conceive of the accountability and mass-elite gaps as parallel problems affecting post-industrial Western democracies in general and in pursuing an analysis of the accountability gap, we will be able to make inferences with regard to the mass-elite issue.

Within notions of representative democracy, a conflict about whom should initiate decision-making dovetails with the mass-elite gap. The debate here centers on the opposition between Burkean trustee representation and instructed delegate representation. Is representative democracy about an electorate choosing between several candidates, electing one and then putting their collective faith into decision-making, regardless of public opinion? This is the Burkean conception, in which elites not only drive opinion but once elected, need not respond to evolutions in public sentiment since *they* are the ones forming opinion anyway and thus have a responsibility to act in the best interest of the public regardless of opinion. On the other hand, representation can also be seen as a constant dialogue between voters and policy makers, in which representatives

must unfailingly consult their constituents before taking a stance on an issue. This instructed delegate conception of representation is more contingent on expectations not only of good governance, like its Burkean predecessor, but also on the idea of accountability.

The problem of the mass-elite gap is intimately linked with the efficacy of representation. The legitimacy of modern democracy rests on the claim that democratic governments are representative of their populations because they are chosen by theoretically free and fair election. As Stokes, Prezerowski and Manin (1999) define it, the process of free and fair elections gives the electorate the opportunity to assign two qualities to their elected officials. Firstly, the quality of mandate, a show of popular support for the policies proposed by the candidate or government being voted on. Secondly, elections are a tool of popular accountability, allowing voters to hold their elected officials and governments responsible for past activities and their ability to achieve their stated policy goals.

As much as representative democracy hinges on voting rights, these by themselves are insufficient to create an effective democratic society. In this vein, Dalton posits that “political theorists have long maintained that democracy is only workable when the public has a high degree of political information and sophistication”¹. Thus, an uninformed citizenry is at the mercy of educated and manipulative elites, meaning that the public must be a “paragon of virtue” for democracy to survive (ex: Tocqueville’s idealized American super citizen). While our contemporary norms and expectations of democratic behavior come from Europe, they have atrophied over time and “have weakened there.” As an example, Dalton offers that “in France, the excesses of the French Revolution raised doubts about the principle of mass participation. In addition, the instability of the political system supposedly produced a sense of *incivism*², and people avoided political discussions and involvement.”

While many elitist democrats have argued in the past for Burkian trustee representation³ as an acceptable solution for modern democracy, one of the aims of this paper is to investigate the extent to which the rift between the political class and the French people can be explained as a failure of French political leadership to practice trustee representation. Did the French people in fact demand to way in on the European Constitution via a referendum, or was someone else’s agenda (that of President Chirac and his government) being served by the vote

On the surface, democratic representation is a certain means of assuring correspondence between the aspirations and values of the electorate and the policies pursued by elected officials, but the reality is far more complex. Here, the debate centers on the nature of representation and opinion, to what extent

it is either static (Huber and Powell 1994) or dynamic (Stimson, Mackuen and Erikson 1995).

In their 1994 study, Huber and Powell propose two visions of democratic process that create congruence between citizen preferences and public policies that fulfill one of the major claims of liberal democracy. In their Majority Control vision, democratic elections are designed to create strong, single-party majority governments that are unconstrained by other parties in the policy making process. Policymakers do what citizens want them to do because the ruling party has won the majority from the election. The key stage of the majority control vision is in electoral competitions, where the aggregation of party alternatives and voter choice occurs. In this model, congruence is contingent on the governing party being at or very near the position of the median voter. If neither alternative party is close to the position of the median voter, “the majoritarian democratic process will not result in a government that is committed to ‘what the people want.’”⁴ The problem with this theoretical framework is that empirical evidence shows that often, competition fails to produce a party that is at the median.

In the Proportionate Influence model, elections are designed to produce legislatures that reflect the preferences of all citizens. Like Lijphart’s “consensus democracy” (1984), the Proportionate Influence model posits proportional representation and multiparty elections as necessary conditions for minorities’ ability to achieve proportionate influence. The model occurs in two stages: firstly, at elections, where multiple parties compete thereby reflecting the variety of citizen positions. The parties must not converge at the center unless most, if not all, citizens’ positions are near it. The election should create a reflective government in which the position of the median legislator or party should be very close to that of the median voter. The model is then achieved through coalition formation, where the median party should play a dominant role in the coalition. Thus, the study of congruence is the study of the relationship between the positions of the policymaker and the position of the median voter⁵.

Huber and Powell signal the need to reduce the democratic debate to a single dimension in order to make it intelligible. By achieving a single dimension, such as the left-right ideological continuum creates a “unidimensional discourse” that can absorb various issues and structure a meaningful public debate. Since “studies show that elites, political experts and mass publics are able to think about political issues using the language of left and right”⁶, Huber and Powell argue that citizens can meaningfully place themselves on a left-right scale, determined by issues of the day and party attitudes. They

then seek to measure congruence by comparing distance between the position of policy-making parties and the distance of citizens. Focusing on the citizen median over the citizen mean because given the choice, voters will always choose the median position as it gives greater weight to the center position; they conclude that the Proportionate Influence model engenders a more robust level of congruence⁷ (315–316) than Majority Control. Finally, they stress that while commitments of governments and their actual policies are rarely the same, if presented with a wide range of choices where electoral outcomes are proportional, governments tend to be closer to the median, meaning that democracies trend naturally to a high level of congruence.

On the other side of this conceptual debate stand Stimson, Mackuen and Erikson (1995), who see representation not as static but as dynamic, which they define as: 1) when opinion causes policy and 2) when the representation system acts as a control to keep policy on course with voter demands when representatives drift away from voter preferences⁸. The key element in the dynamic vision of representation is responsiveness, which is the idea that policy makers act based on information they receive both through study of public opinion on specific issues and through their performance in elections. Unlike the static vision, which postulates that policy-makers will act in a way that will make their policies sufficiently congruent with voter positions to ensure re-election, dynamic representation suggests that political leaders have both the tools and the impetus to actively seek out harmony between their policy actions and voter preferences. As Stimson, Mackuen and Erikson argue, because politicians are rationally motivated by the need for re-election, informed about shifts in public opinion and aware when a consensus arises between voters, media and a political majority on an issue, representation will be most effective when politicians assess the situation and rationally anticipate shifts in opinion by making policy according to it, thereby assuring re-election⁹. In testing this theory, the authors use a dynamic model which combines a dynamic with multiple indicators (endogenous and exogenous variables) to assess the extent to which American representation is dynamic.

Explaining Referendary Outcomes: France's "Non"

The role of public opinion in the French referendum campaign

In *Tides of Consent*, Stimson notes that because of the opportunity cost of involving oneself in politics, governments generally avoid making radical changes to existing policies in order to avoid "stirring the beast" by rousing public interest with sweeping, innovative policies. Stimson's insight provides an

indication of the inherent risk taken by the French leadership in pursuing referendary adoption of the TCE. The gamble in itself was twofold. First, because of the French inclination toward skepticism over any type of government-generated initiative¹⁰, the implementation of policy as broad and as symbolically revolutionary as that of the TCE was a large gamble to begin with. Secondly, while the European Constitution project was a bold step from the outset, the decision to give the electorate an opportunity to directly sanction the TCE through a referendum was an audacious step for a government that even President Chirac admitted had become unreceptive to popular concerns.

The issue of initial risk in the TCE referendum is compounded when assessed in the context of another of Stimson's posits about public opinion that "while most voters are ignorant about politics, they adopt the political positions of those they trust"¹¹. Given that President Chirac's approval rating hovered around 35% at the announcement of referendary ratification of the TCE, it is clear that from the campaign's outset, Chirac had neither the political capital nor the public trust necessary to be a decisive voice in leading the campaign. Because of the TCE's importance and the way in which it was played up by both the media and mainstream and fringe opposition parties, hindsight suggests that a gulf in opinion leadership in the Yes campaign was a decisive factor in the treaty's failure from the start of the campaign. The TCE had the fundamental disadvantage of being an issue created by presidential fiat¹², a linkage exploited early and often by all of the treaty's opponents, while the president himself, along with his hand-picked government led by Prime Minister Raffarin, and was politically unable to sell it to the public in an effective fashion. Arguably, the opinion leadership void in the Yes camp could have been filled by another high profile figure from the UMP party like self-described "ardent reformer" and party president Nicolas Sarkozy. The possibility of the popular, tough-talking Sarkozy taking the reins of the campaign and shepherding the treaty to victory presents an interesting counterfactual. Yet Sarkozy's decision to withdraw from the limelight while Chirac's government self-destructed, most likely in an effort to bolster his chances of success in the 2007 presidential elections, left the Yes camp incoherent and ultimately rudderless.

Meanwhile, the Socialists were equally unable to successfully lead the campaign for a variety of reasons. Firstly, the Holland/Fabius split at the top of the party's leadership in September 2004 rendered Socialist Yes supporters too weak to give effective support to the treaty. While Dominique Strauss-Kahn and Lionel Jospin, as well as less visible Socialists like Olivier Duhamel and Elisabeth Guigou, were active in promoting the treaty, the more vocifer-

ous Fabius faction, whose anti-capitalist themes held strong appeal for radical Socialists, constantly mitigated their message. Also, the Yes Socialists found themselves in the somewhat paradoxical situation of advocating a key government policy initiative while being the main opposition party. Even though EU integration became a lynchpin of Socialist doctrine in the early 1990's due to Mitterrand's Maastricht legacy and the role played by Prime Minister Jospin's government (especially Foreign Minister Hubert Vedrine and Finance Minister Dominique Strauss-Kahn) in the 1997 Amsterdam and 2000 Nice treaties, it is questionable whether the Socialist Party had much to gain politically from a victorious TCE referendum. While the party leaders supporting the treaty apparently did so out of the conviction that the treaty was in France's best interest, they certainly knew that a successful referendum would have benefited President Chirac and the ruling UMP far more than their own party.

The void created by Chirac's inability and Sarkozy's avoidance of leadership of the Yes left the role of opinion leadership open to the No leaders. While none of the No leaders boasted constituencies as broad as Chirac and Sarkozy by themselves, together their numbers were formidable, constituting roughly 40% of votes in the 1st round of the 2002 Presidential elections¹³. While the messages of the No leaders did not always dovetail neatly¹⁴, ideological heterogeneity was one of the No camp's greatest strengths. Whether voters wanted to say "No to Chirac," "No to French submission to Europe," "No to Turkey in the EU," "No to economic competition" or "No to reduced social welfare," the polyvalence of No positions provided an inclusive umbrella for all to voice their concerns. By contrast, the messages of the Yes campaign ("Yes for the future," "Yes for Europe") were more elusive, decidedly less variable and apparently, harder to sell.

In an opinion leadership situation in which elite messages were so confused, it becomes pertinent to invoke Zaller (1992). Pointing out that "public opinion is contingent on the level of elite discourse that people are exposed to and how quickly the public is able to internalize changes in elite ideas about politics," Zaller's conception of elite-driven opinion shows the potential that Socialist in-fighting had for producing spillover effects in mass opinion. Indeed, with a party carved basically in two over an issue as important as the TCE, the message transmitted from the center-left mainstream elite about the treaty was chiefly one of uncertainty. As comments from both General Labor Confederation president Bernard Thibault and former Green Party chief in the previous chapter indicate, the lack of mainstream left unity about the TCE galvanized the far-left and cast a shadow of doubt around the treaty that reinforced the fears of wary Frenchmen.

Furthermore, the split at the top of the Socialist Party caused the French debate about the Constitution to shift from one concerned with European issues to a campaign centered around what Hooghe and Marks (2004) term “exclusive national identity.” Arguing that “the more divided a country’s elite, and the more elements within it that mobilize against European integration, the stronger the causal power of exclusive national identity.”¹⁵ In this vein, Hooghe and Marks state that “political parties are decisive in cueing the public, and the wider their disagreement, the more exclusive identity is mobilized against European integration. Divisions within political parties are positively correlated with the causal power of exclusive national identity, as is the electoral strength of radical right parties.”¹⁶ Indeed, Hooghe and Marks’s theory seems to have come to life in France, as the schism within the Socialist Party brought a new set of arguments from the left emphasizing neo-protectionist economics, EU threats to national social welfare and the impossibility of competition from cheap Eastern European labor. Focusing voters’ thinking in a national context also helped the right by leaving the door open for xenophobic arguments about Turkish entrance into the EU from the Movement for France and the National Front. A focus on the external threats posed by European integration as articulated by the No camp thus served to further cultivate France’s own fears about its future identity in an expanded, integrated Europe while disassociating the positive symbolic and institutional impact of the TCE from the debate.

However, it is hard to say whether the shift on the left from a discussion of the TCE’s attributes to one about the potential threats it posed to France had a significant impact on luring voters to accept far-right nationalist arguments against the treaty. While 95% of voters identifying with the National Front and National Republican Movement voted No, illustrating strong party unity on the issue, 49% of far-right voters voted No “out of opposition to the President of the Republic,” while only 10% did so out of concern about the entry of Turkey into the European Union. Most significantly for testing the far-right aspect of the Hooghe and Marks theory, the only group motivated to vote No by the Turkish question were UMP No voters¹⁷, who were most likely driven by the opposition of Nicolas Sarkozy and other prominent party voices to Turkish EU membership. With no more than 5% of No voters with left-wing party identification voting No because of the Turkish question, it is clear that while the debate did shift to one about national concerns due to the Socialist split, notably in terms of inspiring protectionist and anti-capitalist sentiment among voters, this had very limited spill-over effects for the appeal of far-right arguments on a broad national scale.

As cleavages in opinion coalesced with the rise of the Fabius-led Socialist No faction, the campaign became the site of an important popular cognitive mobilization in which fully two-thirds of voters felt they had “enough information to make an informed decision” about the TCE. According to the Eurobarometer post-referendum survey, “... several studies have shown how far the referendum campaign, with in particular daily press articles, numerous radio and television debates and several television broadcasts by the President of the Republic, captured the attention of French voters”¹⁸. Intense media coverage of the campaign, the plethora of books and pamphlets published about the TCE and the full involvement of all major parties in the campaign all help to explain why so many French voters felt informed enough to vote in the referendum and why nearly 70% of eligible voters turned out on Election Day. The mere size of the turnout compared with other recent European-related votes in France such as the June 2004 European Parliament Elections, which garnered only a paltry 42.76% turnout certainly indicates that “citizens perceived the importance of the issue on which they [were] asked to vote”¹⁹.

Despite the complexity of the 448- article treaty and the sea of posturing, rhetoric and acrimony that dominated the campaign, French voters’ confidence in their ability to be informed about the TCE is strong evidence of a vibrant and highly participatory political culture. While the effort of voters in this case is impressive indeed, the unique feature of their undeniable cognitive mobilization over the course of the referendum campaign was the Yes campaign’s inability to convince such concerned voters of the merits of the treaty. With all the advantages the ruling UMP had in promoting the treaty, namely in their ability to command media attention through Chirac’s unilateral right to convoke primetime television for official declarations, which he used only twice; their total control over the election budget, and the high public recognition and visibility of their leaders, it is impressive indeed that the No campaign was able to get its message out to such a successful extent. The No’s victory becomes all the more spectacular when we factor in the overwhelming French acceptance of their state’s membership in the European Union²⁰ and the strength of support for the TCE at the time of its signing in October 2004.

Yet the decisive factor in the No’s victory, focus on the harsh reality of socio-economic conditions in France, was completely overlooked by the government and the Yes campaign. Here it becomes pertinent to evoke Hooghe and Marks’s theory about the role of economic sentiment in issues of economic sentiment. Stating that “*Subjective* economic evaluations can be expected to influence public opinion on European integration alongside *objective* factors

(Rohrschneider 2002; Eichenberg and Dalton 1993),” Hooghe and Marks argue that “European integration is perceived by most citizens to shape their economic welfare in a general sense. Citizens who feel confident about the economic future—personally and for their country—are likely to regard European integration in a positive light, while those who are fearful will lean towards Euroskepticism.”²¹

The tactic of turning economic pessimism into broad Euroskepticism among the pro-European French was a chief success of Laurent Fabius from the outset of the campaign. By conflating problems plaguing France such as persistent unemployment, particularly among young people, and long-held fears about pension reform with articles in the TCE which he argued would exacerbate these problems in the future, Fabius mobilized what Hooghe and Marks call “subjective economic sentiment” against the European Constitution. In so doing, Fabius fashioned a potent left-wing issue public incorporating several overlapping messages with broad-based appeal. The logic of his argument hinged on the already widely held assumption on the French left that neo-liberal economic reforms and global competition were the direct causes for France’s dire long-term unemployment situation and erosion of the welfare state²². With this consensus achieved, Fabius contended that the government had continued pursuing neo-liberal reforms without improving the socio-economic situation. Thus, he argued, the government’s message that the TCE would improve the situation should be rejected since the TCE was in fact nothing more than a concretization of neo-liberal economic policies. Clearly, this message held appeal for almost everyone on the French left. For the Communists, the indictment of globalization and reduced welfare rang true with their neo-Marxist worldview while union members, already concerned about their employment by the rise of the *contrat a durée indéterminée* (Undetermined length contract, a precursor to the much-maligned and now defunct *Contrat Première Embauche* (CPE)), were easily threatened by promises that the TCE would bring outsourcing and competition from cheap Eastern European labor. For young voters, these arguments fed the constantly reinforced fears of *précarité* (uncertainty) about job security and entry into the labor force that fully emerged in the anti-CPE strikes and demonstrations of March–April 2006. As the *Eurobarometer* post-referendum survey indicates, fear about the TCE’s negative effects on the French labor market (outsourcing, loss of French jobs) was the leading cause for voting against treaty (31% of No voters). The related “because the French economic situation is too bad/there is too much unemployment in France” was the second-most cited reason for voting No (26%),

confirming the potent role of the Fabius-led issue public in shaping opinion about the treaty as a mere extension of current government economic policies that, if perpetuated by ratification of the TCE, would hold dangerous consequences for the future.

Additionally, this case reveals the predictive power of Hooghe and Marks's theory about how domestic political cleavages manifest themselves in European integration votes. Contending that "If European integration converges on a mixed-market model, citizens in social democratic Scandinavian economies can expect to see their welfare systems diluted, while citizens in liberal market economies, such as Britain, can expect more distribution," Hooghe and Marks argue that "in social democratic systems, the left will be opposed to European integration and the right will be supportive. In liberal market systems, the left will support integration and the right will be opposed."²³ This theory certainly holds in the French case, particularly given the decisive impact of the Socialist split, while underscoring the difficulties inherent in reconciling national ideologies with EU policies in a more general sense. Although leftist opposition to EU integration is not constant in French politics, the perception cultivated among the French left that the TCE would effectively erase the French welfare state so threatened the core beliefs of Socialist, Communist and Green Party leaders and sympathizers that even avowedly pro-European leaders like Fabius rose up to virulently oppose it.

In concluding discussion about how certain aspects of the nature of public opinion can explain the outcome of the TCE referendum, it is important to acknowledge the extent to which the tenor of the campaign was dominated by what the literature (especially Dalton 2002) refers to as "Old Politics" issues. The ability of the No campaign to tap into the French masses' latent hostility towards free market economics is a resoundingly powerful argument in support of the mass-elite gap as the decisive factor in the referendum outcome. Clearly, the failure of the elite-dominated Yes leadership to recognize the depth of their countrymen's dislike of capitalism and their inability to attempt to convince voters that increased exposure to free-market competition could help the French economy before embarking on a referendary vote, ranks as one of the more fantastic government miscalculations about constituency sentiment in recent memory.

While the Hooghe and Marks claim about the role of economic sentiment in influencing public opinion on European issues is evidently validated in this case, the fear of capitalism and globalization embodied in the harsh rhetoric of the No seems to indicate something more profound within French political culture. Though the Socialist Party adopted liberal economics in the wake of

the catastrophic nationalization program undertaken by the Mitterrand regime from 1981–1984 to the point that Mitterrand ended his presidency by successfully advocating adoption of the highly liberal Maastricht Treaty in September 1992, it is clear that the neo-liberal consensus has not as yet become a majority position on the French left. While the reality of France being the world's fifth-largest economy and a central member of the world's wealthiest free-trade zone is widely known around the world, this situation seems to hold little weight for French voters. The enduring power of Old Politics in France seems to fly in the face of much of the public opinion literature (notably Dalton 2002) arguing that New Politics issues such as immigration issues, civil rights questions and environmental concerns have surpassed debates about economic philosophy in advanced Western democracies.

Voter Behavior in the French Referendum

At the polls, it is clear that French voters defied some of the central theories about voter behavior, and specifically voter behavior within the context of EU integration referenda, within the literature.

Among the central theories about voter behavior in EU-related referenda that failed to hold up in the French case is the widely held argument (Hug, Prothro, Marsh et. al etc.) that EU referendum outcomes can be predicted based on the institutional and legalistic nature of the referendum in question. While most referendum theories argue that the French referendum, which was a non-binding, advisory referendum called by the government, would be quickly disregarded as unimportant by voters and used as a vehicle to sanction the government. However, only 18% of No voters were motivated by their “[opposition] to the President of the Republic/the National Government/certain political parties”²⁴. While not an insignificant number, 18% is a clear minority of No voters and was only the fourth-largest stated reason for voting No., which effectively allows us to reject the predictive value of classification theories in this instance. In fact, the high turnout rate and ardent issue-centered (Marsh et. al use the term “first-order”) debate essentially refutes the hypothesis that a non-binding referendum would be uninteresting to voters.

In reality, no party or leader ever argued that the TCE referendum was unimportant because it had no direct *de jure* implications, though the UMP-controlled parliament did modify the French Constitution in order to allow for the TCE's eventual implementation, giving the vote *de facto* importance since President Chirac would have automatically signed the treaty had it won out in the referendum. Furthermore, despite the unpopular status of Chirac and the Raffarin

government, no party sought to disregard the referendum because of its government origins. In fact, both the Yes and No campaigns succeeded in underscoring the TCE's importance for France's future, albeit with varying degrees of success. While the debate about the TCE remained highly issue-centered, it is nonetheless clear that "second-order" (domestic) concerns had an undeniable impact on the vote despite the success of both campaigns in convincing the public of the treaty's importance. As the significance of domestic economic concerns, which were the chief motive for 57% of those who voted No (if we add the 19% of No voters who said "the TCE is too liberal," this becomes even more potent) attest, the No's success at linking France's current economic woes with a bleak future in which the TCE would only worsen conditions won the day.

Also unsurprisingly, the unpopularity of the Chirac regime still had an impact for the No, albeit a smaller one than the literature would suggest. This trend, which held as an important reason among all No voters, including those identifying with the UMP, indicates a certain amount of evidence in favor of Schneider and Weitsman's "punishment trap" theory. The punishment trap predicts that EU integration referendum outcomes will hinge almost entirely on the popularity of the current government since referendums are often seen more as government popularity contests than honest legislative consultations (this is particularly true in France because of the president's unilateral power to call referendums). While the simplicity and empirical relevancy of this theory is evident, I feel that in the French case, the punishment trap is something of a facile argument for the TCE's failure. Even though it is inherently logical to infer that voters rejected a government-endorsed measure simply because it was endorsed by the unpopular government, the punishment trap does not explain the TCE's failure since polls showed the treaty winning out in late February, when government approval ratings were at a meager 29%. Of course, as support for the TCE plummeted, so too did the popularity of elected leaders (Chirac had an approval rating of 24% on June 1st, 2005, two days after the treaty was defeated), but it is impossible to identify a monocausal relationship between government popularity and the defeat of the referendum. To summarize, though empirical evidence provides compelling partial support for this theory in the French case, it says little about the rapid movements of voter opinion on the TCE that interest me more than the actual outcome of the vote itself.

Another unique facet of the TCE vote was the way in which the No campaign managed to conflate the question as at once a European concern and a question with huge domestic implications, which makes the case something of an outlier in the EU referendum literature. In a situation that defies the

first vs. second-order considerations debate, the No's argument that the TCE presented not only a continuation of the UMP government's economic *status quo* but a radicalization of the government's market, neo-liberal reforms, galvanized the mass public to see the TCE as a menace to both French and European social democracy. This frame of mind deepened the mass-elite split that manifested itself along geographical and socio-demographic lines on May 29th. The rural/urban voter dichotomy was stark as 61% of voters from rural areas voted No out of fear that the TCE would worsen the negative employment situation in France (40%)²⁵, while 55% of Parisians voted Yes because of the treaty's importance in pursuing European construction (47%). When we observe that 76% of manual workers voted against the treaty out of concerns about competition and a loss of social services while those working in the service sector came out 55% in favor of the TCE because it was "essential for pursuing the process of European construction" (40%) and because it "strengthens the European Union over the United States" (15%), it becomes clear that the frame of reference which voters held when casting their ballots was contingent on their placement along a "mass/elite" axis. That is to say that for No voters consumed with present and future domestic economic fears, domestic thinking dictated voter behavior while elite thinking was abstracted to a European level with voters linking the TCE with the future of the European project, not France's current economic plight. Interestingly, in a result that might be considered surprising given No voters' overriding concerns about the employment situation, unemployed voters (10% of the active population) were split 50–50 between the Yes and No camps. Whether this even split stems from confusion about the treaty's benefits (or lack thereof) for the unemployed is unclear, but the lack of support among the unemployed for a reform that the government stressed would promote job creation is a profound indicator of how ineffective the Yes campaign was at convincing voters of the TCE's merits, even those most desperate for change in the economic situation.

Furthermore, despite the Yes campaign's message that the TCE was crucial for the future of France, young voters largely ignored this appeal. With 59% of voters aged 18–25 voting against the treaty out of fears about its impact on the economic situation (36%), young voters along with middle-aged voters (40–54, who voted 63% No) constituted the strongest opposition to the TCE. Somewhat surprisingly, voters 55 and over were the only age group to support the treaty (54% Yes) out of support for European construction (33%) and "for the future generations" (15%). It is interesting to note here that the much maligned "retirement generation" was more supportive of the treaty

than the young people, who often complain of paying seniors' pension benefits. But as is confirmed by the Spanish and Dutch cases, Europeans born before, during or just after World War II are the most staunchly pro-European socio-demographic group for clear historical and symbolic reasons.

Another crucial explanatory factor often underscored in the literature, particularly in single-case studies of EU integration referendums, is the role of party affiliation in determining voter behavior. Here, the French case seems at one level to confirm the importance of party affiliation in predicting outcomes, particularly at the extremes of the political spectrum. With 95% of National Front/MNR voters and 94% of Communist and Communist-affiliated voters toeing the party line in rejecting the treaty, the correlation between extreme-party identification and party loyalty voting was very strong in the referendum vote. Similarly, this trend held for voters identifying with the UMP, as a full 75% of UMP-loyal voters came out in support of the treaty, showing that the government was at least successful in rallying its own supporters to the party position.

In a recurring theme, the strength of the party affiliation hypothesis was trumped by the center-left. As noted in the previous chapter, the massive shift in Socialist opinions of the treaty between the December 1, 2004 internal vote (in which 59% of party members voted to support the TCE) and the behavior of Socialist-ID voters on election day, who voted 61% for the No, is evidence of the impact of the split at the top of the party hierarchy and the success of the No campaign in rallying Old Politics Socialists to the cause. The erosion of center-left support for the treaty was even more rapid among the Greens, whose internal vote in March 2005 narrowly came out in support of the TCE (53–47%) but at the polls had the same 61% of No voters as the Socialists. The Green Party's status as a staunchly pro-EU party makes the sudden shift all the more impressive and can be attributed to the same factors that caused the transformation in the Socialist voter positions, notably the opposition to the treaty of key party leaders (notably former Green Party President Gilles Lemaire) and important labor unions (notably the CGT), which made the treaty unacceptable for left-leaning voters concerned with social issues. Clearly, the increasing consensus in the voter behavior scholarship that we are witnessing a decline in party strength (Franklin, Mackie and Valen 1992; Dalton 2004) in the face of an ascendant impact of issue positions on voter behavior is demonstrated in the French case by the ineffectual role played by center-left French parties in producing strong support for their official positions with regard to the TCE. This line of thought can help explain not only why the mass public on the center-left broke official party lines during the referendum campaign, but why

individual party members such as Henri Emmanuelli, Jean-Luc Melenchon and Laurent Fabius were able to avoid being expelled from the Socialist Party even as they actively worked against the party's stated position.

France and the TCE: A House Divided along Mass-Elite Lines

A decisive indicator of the complex texture of TCE debate comes from the important question of voter motivation. In response to the question "What was the key element that led to your vote in this referendum?" voters were identically split between "overall opinion regarding the European Union" and "opinion on the economic and social situation in France" (32% each). Meanwhile, only 18% of voters made their decision based on their opinion of the European Constitution, signaling the importance of the national-European cleavage in influencing voter behavior. Though 52% of Yes voters were chiefly motivated by their opinion of the European Union, it is striking that a full 47% of No voters were mainly motivated by their feelings about the social and economic situation in France. This stark and decisive divide can be attributed to the mass-elite gap. For French elites, the European Union is a meaningful entity. Political and economic elites have some knowledge of the EU and are aware of its actions as well as the organization's deep impact on many aspects of French life. However, the mass public has relatively few connections with political Europe other than the euros they use, the EU passports they hold and the twelve-starred flags juxtaposed with the French *Tricolore* on public buildings. The disunity among political elites in France over the TCE, especially on the left, did little to make Europe seem more important to the French masses other than as a threat to their seemingly precarious employment situations. With this dimensional divide in hand, we can clearly see one of the central obstacles to European integration as the balancing act nation-states must perform between explaining the importance and potentiality of a politically unified Europe to the citizenry while simultaneously projecting an image of control over events in the country they nominally govern. In the case of France, it is clear that the government's commitment to educate its citizens on the importance of their membership in the European Union and to cultivate an understanding of its history, institutions and future role for the French leaves much to be desired. If the European project is to continue to hold appeal in France, it is clear that the political elite must address this issue with vigor and haste if they hope to legitimate the EU, and their own worthiness as "opinion leaders," to the mass public.

The Normative Implications of Europe's Affair with the TCE

France today: A crisis of representation?

What is the import of France's attempt to ratify the Treaty establishing a Constitution for Europe via referendum for democracy? In technical terms, the May 29th, 2005 vote did little to change the French political landscape. President Chirac remained in office. France is still a powerful member of the European Union, which still operates daily based on the protocols of the Maastricht, Amsterdam and much-maligned Nice treaties. While the Raffarin government was toppled by the defeat of the TCE, it is likely that the government would have collapsed even sooner under the weight of its own unpopularity if the impending referendum had not forced a show of government unity throughout the campaign period. Parliament was not dissolved and a new Republic was not declared, things that sometimes happen when political cataclysms happen in France.

But in real terms, much did change. President Chirac, while still in office, "was politically killed on May 29th, 2005, and for good this time"²⁶ according to author Franz-Olivier Giesbert. The new government, led by Chirac protégé Dominique de Villepin, has had to confront major domestic crises as the suburban poor, French students and union workers have manifested their profound discontent with present conditions and future reforms by taking to the streets in October 2005 and March–April 2006. The European Constitution, though ratified via referendum by Luxembourg on July 10, 2005 and by the Estonian parliament on May 9th, 2006, has effectively been shelved by the European Commission, raising the question of what the next step will be for the European Union. In sum, both the French political class and the European Union have been indelibly weakened by the massive defeat of May 2005 and European voters have now put their leaders on notice to proceed with caution the next time they decide to directly consult the people about any policy initiative.

From a normative perspective, this episode puts several contemporary problems abundantly studied in the political science literature into clear focus. First, the problem of a democratic deficit in the European Union, hotly debated by scholars on both sides of the Atlantic, has been weighed in on by the French and Dutch people. Whether voters opposed the TCE because of domestic and Union social concerns or simply because they felt insufficiently informed about what they were voting on, the *Non* and the *Nee* are clear evidence of a dissonance between Europe's existing institutions and the demands of democracy. That the EU failed to play an active role in the domestic TCE campaigns²⁷ and failed to

organize a harmonized, legitimate and equal ratification process is a testament to the organization's weakness at the member-state level and to its inability to work in the interests of its citizens at an individual level. Granted, the current structure of the European Union as a "Federation of Nation-States" makes EU intervention difficult, but it is not as if this possibility had not been raised before. In fact, a proposal to hold a simultaneous, European-wide referendum on the TCE was made by various members of European Parliament (MEP's), notably by Dutch Christian Democrat and Constitutional convention member Hanja Maij-Weggen. This approach would have had serious advantages for the EU, the member-states and above all, European citizens for several reasons. Firstly, "a single Europe-wide referendum would mean that the citizens of the EU member states would be treated as one constituency"²⁸, unifying the European citizenry at both symbolic and effective levels and creating a genuine sense of European citizenship. Furthermore, using this method would allow "for adoption of the European Constitution with a simple majority (maybe combined with a majority of the states)"²⁹, greatly simplifying the ratification process.

Another important feature is that it would "start from the presumption that principal sovereignty was already located at the EU level"³⁰, clarifying issues of accountability and consequently reducing the EU's democratic deficit. However, the goal of making genuine democratic progress by using the TCE ratification process as a testing ground for pan-European voting was viewed by most European Parliamentarians as "legally and politically unrealistic"³¹ because of custom (part of the "opting in" principal of the EU is that member-states have the right to vote individually on whether to deepen the Union) and due to restrictions in the Maastricht Treaty³².

That a stronger attempt was not made to unify voting procedures at the European level within the TCE is a testament to the almost impossible complexity of the European project for European political leaders and for citizens. While a move towards unification of European voting makes clear sense for Europeanists and advocates of democracy, it poses problems on a number of levels. Abandoning individual member state ratification of European treaties would be an enormous renunciation of sovereignty on the part of the EU members, who would effectively lose the ability to negotiate European treaties. This in turn would constitute a *de facto* move towards European federalism since this type of procedure would exponentially strengthen the sovereignty of the European Union and allow it unilateral powers of initiative extending beyond its current spheres of control. While some member states and leaders are willing to make these concessions right now, it is certain that a debate on this

issue would be long, highly incendiary and possibly threatening to the existing hard-won gains of the EU.

But it is equally clear that the current process of ratification is too unwieldy and unjust to be sustained. At a theoretical level, the current process precludes the emergence of a genuine European political culture, since it is arguably very difficult to consider oneself a “European” when one only votes on Europe as a Frenchman, a Spaniard or a Dutchman. Keeping ratification at the national level leaves European progress in the hands of often incompetent, self-interested national leaders, not the European Union or the citizens. As the pursuit of European integration continues, the insight of ex-Commission President Jacques Delors that “we cannot reconcile integration and enlargement by differentiation alone” rings true: if the EU is to achieve genuine institutional and democratic progress in the future, it will have to do so by having its members act in concert for the greater good of the Union, not as individual states. By their very nature, the 2005 TCE referendum campaigns were unwise risks to the future of the European Union that no organization seeking to become a world leader should take without being able to exert more influence over the outcome.

The question of how to go about reforming European integration into a genuinely fair and democratic system presents deep problems that are difficult to resolve in a direct fashion. On the one hand, the EU seemingly cannot move forward until its constitution has been adopted in one form or another by the various member states. Yet this cannot occur until the ratification process has been sufficiently democratized to ensure that all the member states are given equal say on the matter. Given this “Catch-22” predicament, in which the countervailing institutional forces of national interest and the European Union have seemingly paralyzed progress, several options present themselves as potential solutions to the *impasse*. The easiest solution from a Europhile’s perspective would simply be to re-ratify the TCE through national parliaments and forget about the referendums. While this is not possible in member states which require referendary approval of changes to the national constitution, it would be constitutionally legal in France. Given the ease with which changes to the Fifth Republic Constitution were approved by French legislators to allow for implementation of the TCE, it seems that parliamentary ratification would pass handily. Yet this would be political suicide for President Chirac, the government and the EU, and the ultimate manifestation of the mass-elite gap in which elite political leaders simply go over the heads of those they represent to achieve their policy goals with no regard for prevailing public sentiment. Such a step would serve only to strip another layer from France’s deteriorating representational structure.

With this possibility eliminated, two others remain: modifying the Maastricht Treaty in order to abrogate member states' rights in integration proceedings and give the EU control over the procedure, or attempting incremental changes within the EU in order to build a popular consensus in favor of the constitution and change voters' minds about the TCE. Since the former option would imply a strong move towards federalism, for which there is little popular consensus, it is very unlikely that control over integration matters will ever be transferred to the European level in the near-term. Thus, the most feasible way to proceed would be for the EU to work to bolster its reputation in France and the Netherlands while modifying the treaty by removing many of the objectionable economic rules and generally shortening it to make it more accessible to citizens. Of course, this process would completely undermine the votes of all the states that have already ratified the document and constitute an official admission of defeat on the part of the Union, but in the long run it seems to be the only legitimate and viable way for Europe to have its own constitution under the present legal and institutional conditions.

Mass-Elite Fissures and the No: The Implications of a Crisis of Representation

The vision of modern democracy presented by the behavior of French leaders during the TCE referendum campaign is an unpleasant one. Searching for general popular approval and a single, defining accomplishment in a reign defined mostly by paralysis and scandal, President Chirac's pursuit of referendary ratification of the TCE was a decision made for narrow political motives, not out of personal conviction. Putting the treaty up for voter approval at a time of economic uncertainty and popular skepticism about government, Chirac and his allies accepted a level of political responsibility for which they were clearly unprepared. Thinking that France's European consensus would be enough to get the treaty passed, Chirac and the Raffarin government opted to stay above the fray of campaigning for the TCE in favor of going about their day to day business and occasionally trying to discredit the No.

But what they did not do is arguably more important. By avoiding long-term active involvement in the campaign for the Yes, France's leaders abdicated the central representational responsibility of opinion leadership. As Stimson (2004) and Zaller (1992) argue, public opinion about policy is driven largely by the issue positions and arguments forged by political and socio-economic elites, putting elected leaders at the nominal summit of the opinion leadership hierarchy. The importance of the opinion leadership role among elected leaders

is compounded by their representational responsibilities. In the representational model which political science presents us with, representatives must choose: either to curry favor with their constituents by carefully listening to their preferences and concerns and acting as instructed delegates, or take their status as legitimately elected leaders as a mandate to do what they think is best as a trustee above the vicissitudes of public opinion, they are theoretically beholden by the tools of accountability to adhere to popular views either by following or changing them. Indeed, in a cognitively mobilized political environment (Dalton) where voters have instant access to the sayings and doings of their elected leaders, the concept of long-term congruence between voter preferences and policy decisions described by Huber and Powell (1994) is vital both to the electoral success of leaders, to political stability and to positive policy outcomes. While some discord is obviously necessary, a rift between leaders and voters as extensive as that exemplified by France's TCE misadventure gives cause for concern about the efficacy of French institutions.

In France, few modern leaders make political decisions strictly based on public opinion, certain that their electoral or government mandates and their high level of training at elite institutions like Sciences Po and l'Ecole Nationale d'Administration (ENA) make them far more qualified to judge situations and make policy than the voting masses. This is particularly true of presidents in the Fifth Republic, who since Charles De Gaulle have adopted lofty opinions of themselves as elected monarchs or supreme overseers of national sovereignty³³ who care about the people's opinion only when they unilaterally request it in presidentially sanctioned referendums. The irony that a referendum was the site of one of the most egregious examples of presidential aloofness in the Fifth Republic is palpable but does not improve the situation. For President Chirac, always a Burkean representative in the purest sense, problems with responsiveness to the people were abundantly evident even as he announced the referendum on July 14, 2004. Though he promised to address public concerns about his detachment from voters, his performance in the TCE campaign is strong evidence that this lesson went unlearned. Rather than getting more involved in the Yes campaign as the polls started to turn towards the No in March 2005, Chirac became more removed from the process, speaking out only in official settings like his disastrous "intervention with French youths" in April and his two solemn, anxious televised speeches from the Elysée Palace. His decision to recuse himself from the virulent TCE debate was both personal and political as he was having health problems and with approval ratings in the low 30's, was known to be a liability. But by adopting a Burkean representational strat-

egy, Chirac took the position that he would lead France to ratify the TCE by being visibly supportive of the treaty. The twin elements of Chirac's failure to get a sense of public sentiment about the treaty and act on it coupled with his desire to be a trustee representative only to avoid fulfilling trustee obligations of opinion leadership combine to constitute a failure of representation on the part of France's president.

The defeat of the TCE is rooted not only in President Chirac's shortcomings but in a more general crisis of representation. With France's full Parliament voting 730–66 on February 28, 2005 to adopt changes to the Fifth Republic Constitution in order to allow for implementation of the TCE upon its referendary approval, France's entire legislative branch effectively gave their support to the treaty. Representative of all of the 100 *departements* that structure France administratively, the overwhelming majority of legislators also engaged themselves to gain the support of their constituents for the TCE by voting for a change to the Fifth Republic Constitution. That these locally-accountable representatives, some of whom were surely aware of the facts on the ground about domestic socio-economic concerns and the uncertainty of the EU's role in French life, failed to incite their compatriots to support the TCE implies that the disconnection between the people and their elected leaders in France was not merely a discrete incident of May 2005. Instead, it suggests serious structural flaws at the heart of the French system. Namely, the discord between elected leaders and the people in this case reveals the glaring absence of real accountability in France. By accepting the mantels of presidential, governmental and legislative support for the TCE, France's elected leaders positioned themselves to lead the public to approve the treaty. Instead, they left the task of leadership to a group of mostly unelected extremist leaders from the No camp who found an anxious and receptive public ready to manifest their disapproval of France's current political and economic situation in a militant mass mobilization against the TCE.

What are we to make of the viability of representative democracy when the discord between the goals of elected elites and the values of the mass public expands to an extent where legislators, cabinet members and a president find themselves on the opposite side of an issue from the people that they nominally represent? Is there any accountability in a system where this situation can occur and is "remedied" by a mere cabinet reshuffle at the government level? Surely, French voters were perversely victorious on May 29th to the extent that if their leaders didn't hear their concerns beforehand, the No's victory forced the French political class to think about what was going on. But the spring

2006 CPE crisis, another instance of the president and parliament supporting a measure that had to be overturned because of public opposition, shows us that this is not the case. France's No allowed voters to express their concerns about France's present and future, but from a political perspective, it did nothing to improve either contemporary conditions or future prospects. For the French political class, the choice at this stage seems clear: acknowledge and seek to repair the mass-elite gap and take measures to restore public confidence in government or put the stability of France's institutions in serious danger.

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Notes

¹ Dalton 2003, 13–14.

² A popular rejection of participation in civic culture (Dalton 2003, 15).

³ Burke's theory is in itself based in his own horror at the behavior of France's revolutionary government and namely his disapproval of their newly emergent democratic system. See Burke's 1790 treatise *Reflections on the revolution in France*.

⁴ Huber, John and GB Powell. 1994. "Congruence Between Citizens and Policy Makers in Two Visions of Liberal Democracy." *World Politics*, Vol. 46, No. 3. pp. 291–326. 297

⁵ Huber and Powell 1994, 294.

⁶ Ibid.

⁷ Huber and Powell 1994, 315–316.

⁸ Stimson, James A, Michael B. MacKuen, Robert S. Erikson. 1995. Dynamic Representation. *American Political Science Review* 89 (3): 543–565. 543–544.

⁹ Stimson et. al 1995, 545.

¹⁰ Good examples from the postwar period include the failure of the referendum on the formation of a European Defense Community (1954), popular opposition to Gaullist reforms that triggered the riots of May 1968 and the very narrow passage of the Maastricht Treaty in 1992.

¹¹ Stimson 2004, 15.

¹² Since under Title 2, Article 11 of the Fifth Republic Constitution, the President, upon proposal from the government or parliament, has the power to convene a referendum "...for all law proposals pertaining to the organization of public institutions, approval of European Community (EU) accords or authorization for the ratification of a treaty..."

¹³ Based on the sum of percentages of the vote garnered by No leaders Besancenot, Laguiller, Le Pen, Alain Madelin, Robert Hue and Jean-Pierre Chevenement.

¹⁴ As the contrast between Jean-Marie Le Pen's openly xenophobic, anti-EU rhetoric and Fabius "social Europe" integration alternatives shows us.

¹⁵ Hooghe and Marks 2004, 417–418.

¹⁶ Ibid

¹⁷ 16% of No voters identifying with the UMP cited fears about Turkey as their motivation

¹⁸ Eurobarometer. *The European Constitution: Post-referendum survey in France*. June 2005. 4.

¹⁹ Eurobarometer, 5.

²⁰ Fully 88% of French voters have a positive opinion of EU membership.

²¹ Hooghe and Marks 2004, 2.

²² See in particular Raoul-Marc Jennar's incendiary *Europe: la trahison des elites* (Fayard, 2004) for a clear and extensive articulation of the staunch French left's argument.

²³ Hooghe and Marks, 416.

²⁴ *Eurobarometer*, 18.

²⁵ The figure in parenthesis is the percentage of voters in the given category who voted as they did for the reason juxtaposed. In all cases where I cite a statistic, this refers to the most cited reason for voting.

²⁶ This quotation is an excerpt from Giesbert's book, *La tragedie du President* (Flammarion, 2006) and cited in *Le Monde*. <<C'est le 29 mai que Chirac est mort politiquement et pour de bon, cette fois>>. 3/9/06.

²⁷ Valéry Giscard-d'Estaing was kept on the periphery because of his well-known rivalry with Chirac while Jose Manuel Barroso was ordered to "stay away" by Chirac because of his "ultra-liberal" reputation.

²⁸ Nijeboer, Arjen. "People's Vengeances: The Dutch Referendum" in *European Constitutional Law Review*, 1: 393–405, 2005. 395.

²⁹ Nijeboer, 395.

³⁰ Nijeboer, 395.

³¹ Nijeboer, 396.

³² Article IV-7 (48), section 3 of the Maastricht Treaty stipulates that "amendments [to the TEU] shall enter into force after being ratified by all the Member States in accordance with their respective constitutional requirements".

³³ France is one of the only countries where the directly-elected president lives in a "Palace"; Presidents refer to foreign policy as the "reserved domain" of the executive; Article 16 of the Constitution gives the President total control of the country in times of crisis etc.